

MELINDA HAAG (CABN 132612)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

CYNTHIA M. FREY (DCBN 475889)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6747
Fax: (415) 436-7234
Cynthia.Frey@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA)	No. CR-14-MJ-70256
)	
v.)	SIPULATION AND [PROPOSED] ORDER TO
)	CONTINUE STATUS CONFERENCE AND FOR
JOHN CHING EN LEE,)	EXTENSION OF TIME UNDER RULE 5.1 AND
)	EXCLUSION OF TIME UNDER THE SPEEDY
Defendant.)	TRIAL ACT
)	

The United States of America, by Cynthia M. Frey, Assistant United States Attorney, and the defendant, John Ching En Lee, by and through his counsel, Amy Craig and Miles Ehrlich, hereby stipulate to a continuance of the preliminary hearing date in this case to April 30, 2015, at 9:30 a.m. before the duty Magistrate. The defendant agrees that good cause exists to extend the time limits of Rule 5.1(c) to April 30, 2015. The parties also agree that time is appropriately excluded under 18 U.S.C. § 3161, the Speedy Trial Act between March 31, 2015 and April 30, 2015.

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STIPULATION AND [PROPOSED] ORDER

1 The parties agree that an good cause exists, taking into account the public interest in the prompt
2 disposition of criminal cases, to extend the time for the preliminary hearing to April 30, 2015 to allow
3 the parties time to evaluate the discovery and to discuss a potential resolution of this matter. The parties
4 also agree that an exclusion of time is appropriate under the Speedy Trial Act between March 31, 2015
5 and April 30, 2015 for purposes of continuity of counsel and effective preparation of counsel, in order to
6 provide defense counsel with adequate time to review the discovery, conduct an investigation, and
7 consult with the defendant. In addition, the defendant agrees to exclude for this period of time any time
8 limits applicable under 18 U.S.C. § 3161. The parties represent that granting the continuance, in order
9 to provide defense counsel with adequate time to review the discovery, conduct additional investigation,
10 and consult with the defendant, is necessary for effective preparation, taking into account the exercise of
11 due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by
12 granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial.
13 18 U.S.C. § 3161(h)(7)(A).

14
15 SO STIPULATED:

16 Dated: March __, 2015

_____/s/_____
CYNTHIA M. FREY
Assistant United States Attorney

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19 Dated: March __, 2015

_____/s/_____
MILES EHRLICH
AMY CRAIG
Attorneys for JOHN CHING EN LEE

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STIPULATION AND [PROPOSED] ORDER

1 Based upon the representation of counsel and for good cause shown, the Court finds that good
2 cause exists, taking into account the public interest in the prompt disposition of criminal cases, for
3 extending time under Rule 5.1 for a preliminary hearing to April 30, 2015. The Court further finds that
4 good cause exists for a continuance of the preliminary hearing date to April 30, 2015. The Court finds
5 that failing to exclude the time between March 31, 2015 and April 30, 2015 would unreasonably deny
6 the defendant and counsel the reasonable time necessary for effective preparation, taking into account
7 the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of
8 justice served by excluding the time between March 13, 2015 and April 30, 2015 from computation
9 under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

10 Therefore, IT IS HEREBY ORDERED that:

- 11 (1) The preliminary hearing date is extended to April 30, 2015; and
12 (2) good cause exists to extend the time for the preliminary hearing under Rule 5.1 to April
13 30, 2015; and
14 (3) the time between March 31, 2015 and April 30, 2015 shall be excluded from computation
15 under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

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18 DATED: March 30, 2015



HONORABLE MARIA-ELENA JAMES
United States District Magistrate Judge